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Chairman: Mr. Politi ..... (Italy)
later: Mr. Suheimat (Vice-Chairman) ..... (Jordan)

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The meeting was called to order at 10.10 a.m.

Agenda item 164: Measures to eliminate international terrorism (*continued*) (A/55/37, A/55/179 and Add.1; A/C.6/54/L.2)

1. **Mr. Akhmedjanov** (Uzbekistan), speaking on behalf of the Azerbaijan, Georgia, Republic of Moldova, Ukraine and Uzbekistan group of States, said that one of the greatest threats to international and regional security was international terrorism, which had grown in scope and effectiveness in achieving its ends. Coordination of the efforts of the international community was therefore essential to combat the phenomenon, and there the United Nations had a key role to play. In the 28 years since the item had been added to the agenda of the General Assembly, the international community had made important progress in consolidating the legal foundation for combating terrorism, for example, by adopting the International Convention for the Suppression of the Financing of Terrorism. Such efforts must continue, and it was to be hoped that States would also approve the draft international convention for the suppression of acts of nuclear terrorism and complete the drafting of a comprehensive convention on international terrorism. It would be difficult to build a juster and safer world without a concerted effort on the part of the international community to confront the new challenges posed by globalization, the potentially disastrous consequences, of which including computer terrorism, were not yet fully understood.

2. It was also important to highlight the relation between religious extremism and terrorism, which created conditions favourable to the operations of terrorist groups. Terrorist acts, which harmed the innocent, could not be justified by any ideology. Another aspect of the international community's efforts to combat terrorism to be stressed was that any measures adopted at the international, regional or national levels, must be consistent with the fundamental principles of international law and the Charter of the United Nations.

3. Combating terrorism was one of the priorities for the member States of the group of Azerbaijan, Georgia, Republic of Moldova, Ukraine and Uzbekistan, as indicated in the statement of 24 April 1999, contained in document A/54/94, in which the Presidents of those States had expressed their concern at the increased number of acts of terrorism, recognized the necessity to combat terrorism in all its manifestations and decided to spare no effort in the fight against ethnic intolerance, separatism, religious extremism and terrorism. At the meeting of the Presidents of the group's member States in New York on 6 September 2000, they had also raised the question of establishing an international anti-terrorism centre. Moreover, an international conference on strengthening stability in Central Asia held in Tashkent from 19 to 21 October 1999, had adopted a document on cooperation in combating drug trafficking, organized crime and terrorism.

4. It was not enough, however, merely to adopt legal instruments; States must make other commitments within the framework of the United Nations. To date the only office of the Organization responsible for combating terrorism was the Terrorism Prevention Branch of the United Nations Office for Drug Control and Crime Prevention, and that was understaffed. The member States of the group shared the concern expressed by the Secretary-General in his report on measures to eliminate international terrorism (A/55/179) with regard to the lack of human resources preventing the Branch from fulfilling its mandate adequately. One measure that could help to remedy that situation would be the creation of an international centre for combating terrorism, which would involve broadening the mandate of the Branch and increasing its staff.

5. **Mr. Shihab** (Maldives) said that the end of the cold war had not eliminated the chief obstacle to international peace and security. Although he welcomed the progress made by the international community in the area of security, he was concerned that terrorism, which also threatened the stability of States, had become an international phenomenon affecting the entire world. That development was even more worrisome since terrorists were taking advantage of technological advances and had easy access to increasingly lethal and dangerous arms and weaponry, which made their actions all the more effective. Cyber-terrorism, for example, in the form of simultaneous attacks on various institutions and networks, could threaten the international community at large. Efforts to eliminate terrorism therefore required the support of that entire community.

6. Maldives was a small peace-loving State and enjoyed excellent relations with all its neighbours. It was, however, particularly vulnerable to terrorism, as

had been shown in 1998 when a band of mercenaries had attempted to install a puppet regime in order to finance terrorist activities in another country. International cooperation was essential for the security of small States faced with terrorist attacks, because they generally lacked the means to defend themselves against such threats. For that reason his delegation had sponsored resolutions on the protection and security of small States in 1989, 1991 and 1994 and remained convinced that a long-term solution to the problem required, among other things, the establishment of a multilateral mechanism to assist small States in protecting their security, sovereignty and territorial integrity in time of need. Such assistance should be regarded as a political and moral obligation on the part of the international community.

7. Maldives was a party to the International Convention for the Suppression of Terrorist Bombings and welcomed the progress made in strengthening the legal regime for combating terrorism. His delegation hoped that that Convention, along with the International Convention for the Suppression of the Financing of Terrorism and the International Convention against the Recruitment, Use, Financing and Training of Mercenaries, would receive the required number of ratifications to enter into force in the near future. It looked forward to the early conclusion of the draft international convention for the suppression of acts of nuclear terrorism and supported the convening of a high-level conference under the auspices of the United Nations to formulate a joint organized response of the international community to terrorism in all its forms and manifestations.

8. **Mr. Becker** (Israel) said that terrorism flourished in an atmosphere of disunity in the international community. The Sixth Committee, which was charged with providing States with the legal tools to fight terrorism, therefore had a vital role to play. All States must therefore heed the appeal of the General Assembly in its resolution 54/110, condemning "all acts, methods and practices of terrorism as criminal and unjustifiable, wherever and by whomsoever committed", and must ensure respect for the Declaration on Friendly Relations contained in General Assembly resolution 2625 (XXV).

9. His delegation supported legal action measures on three levels. First, States should adopt and enforce national laws targeting terrorism. Second, the international community should take firm measures against States that provided a safe haven for terrorists, supported their activities or refrained from acting against them. Lastly, measures should be taken through regional and international agreements to ensure that the fight against terrorism was coordinated and continuous. His delegation also supported efforts to draft a comprehensive convention on international terrorism.

10. Some States maintained that an act such as planting a bomb in a market place should not be regarded as terrorism if its purpose was national liberation, a position that ignored international law and many United Nations resolutions. Furthermore, it did a grave injustice to legitimate liberation movements, which refrained from attacking the innocent and respected the freedoms of others. Regrettably, some delegations had used their statements to make accusations against Israel. He recalled that two days earlier he had spoken before the Committee on the level of terror to which Israel had been subjected in recent days and weeks. He also recalled the statement by the Minister of Communications of Palestine, who had said: "I am not saying we are not terrorists. We are proud to carry out terrorist attacks against our enemy, against Israel". Nevertheless, his Government remained committed to breaking the cycle of bloodshed in the Middle East and to move together with its neighbours towards a peaceful future. The international community, for its part, must redouble its efforts against the enemies of peace, unequivocally support the settlement of all conflicts by negotiation and reject any attempt to derive political gain from terrorism.

11. **Mr. Galicki** (Poland) said that his delegation aligned itself with the statement by the representative of France on behalf of the European Union and associated countries, and was particularly concerned at the tendency of terrorism to go beyond national borders. Poland felt deep sympathy for the suffering of the victims of terrorist acts perpetrated in distant parts of the world and condemned all such acts, which could not be justified for any political or other reason. Fully aware that international cooperation was the principal factor in combating terrorism, Poland had signed, ratified or acceded to 11 international or regional conventions relating to the prevention and elimination of international terrorism, and it welcomed the progress made by the Working Group of the Sixth Committee.

12. As the representative of France had rightly mentioned, the international community had been able to provide itself with the means to organize against

international terrorism by taking a sectoral approach. Cooperation in that area had progressed sufficiently to envisage the elaboration of a comprehensive convention dealing with the issue as a whole, as reflected in the draft proposed by the delegation of India. His delegation welcomed that proposal and hoped that it would be possible to reach an agreement on issues still pending, including the scope of the draft. It would also like to see work on the text of the draft international convention for the suppression of acts of nuclear terrorism completed as soon as possible. The international community must not fail to take advantage of the unique opportunity offered to create an effective, comprehensive system of anti-terrorist law.

13. **Mr. Nejad Hosseinian** (Islamic Republic of Iran) said that the Secretary-General's report on measures to eliminate international terrorism (A/55/179) attested to the fact that international terrorism posed a serious threat to peace and security and continued to claim thousands of innocent lives every year, disrupting relations among States. No country was immune from the effects of that heinous crime. By using modern technology, terrorists posed an even greater threat to normal life in civil societies governed by the rule of law. Accordingly, it was imperative to strengthen cooperation at the bilateral, regional and international levels towards eliminating that scourge. As a member of the international community, the Islamic Republic of Iran had been suffering from terrorist activities perpetrated by an organization which received material, political and logistical support from a neighbouring country. That organization had claimed responsibility for a number of attacks carried out in the previous year against civilian targets. Its members used false names to secure safe havens in other States, with whose backing they continued to commit acts of terrorism. Some of them had even found their way to the United Nations, under the protection provided by some irresponsible non-governmental organizations.

14. His Government shared the increasing concern of the international community over acts of terrorism carried out by individuals, groups and States, and had redoubled its efforts to combat terrorism in all its forms and manifestations. It had established a number of bilateral committees with neighbouring countries and States from other regions in order to consolidate the fight against terrorists and drug traffickers, including those from areas under Taliban control. However, he wished to reiterate that the fight against terrorism should be in conformity with the provisions of the Charter of the United Nations, international law and the relevant conventions. Making false and unfounded allegations against others in pursuance of a domestic agenda or for concealed political motives was not conducive to the collective struggle against terrorism. Moreover, flexible asylum policies that helped terrorists to evade justice were contrary to the recommendations contained in the declarations adopted by the General Assembly in 1994 and 1996.

15. Since no nation could combat terrorism unilaterally, it was absolutely necessary to adopt universal, non-discriminatory measures to deprive terrorists of their means of operation, recruitment and funding. The United Nations should continue its efforts with a view to the elaboration of a comprehensive convention on international terrorism. The Working Group had held useful discussions on the draft convention submitted by India. He hoped that deliberations on the various proposals would continue. However, he wished to make some general comments in that regard.

16. First, the comprehensive approach raised once again the issue of defining the term "terrorism". It was indispensable to arrive at a generally agreed definition. In that regard, he wished to refer to the proposal submitted by the Malaysian delegation on behalf of the members of the Organization of the Islamic Conference (A/C.6/55/WG.1/CRP.30), which distinguished terrorism from the struggle of peoples against foreign hegemony and occupation. The recent tragic events in the Middle East confirmed the relevance of such a distinction. In that region, an occupier regime continued to employ all means at its disposal and in contravention of the provisions of the Fourth Geneva Convention, to suppress and terrorize, in a barbaric manner, the inhabitants of the lands it occupied, while labelling them as terrorists. However, they were not terrorists but native people of Palestine struggling to liberate their territories. His delegation wished to take the opportunity to offer its condolences to the fraternal people of Palestine on the loss of lives, including the lives of women and children, caused by the Israeli forces in recent weeks.

17. Second, the Ad Hoc Committee should consider some of the regional agreements to combat terrorism, including the Convention of the Islamic Conference on Combating International Terrorism adopted in 1999

(A/54/637), with a view to incorporating in the comprehensive convention the valuable experiences acquired in different parts of the world. Moreover, the relationship of the proposed comprehensive convention with the existing agreements and conventions should be considered. Although during the Working Group's deliberations many delegations had expressed their preference for maintaining the existing instruments for combating terrorism, the Committee could explore the possibility of elaborating an umbrella convention which might facilitate the ratification of existing instruments through a single action if States parties to the future convention so desired.

18. Finally, his delegation had serious problems with article 18, paragraph 2, of the draft comprehensive convention, since the meaning of the phrase "in the exercise of their official duties" was unclear and left room for expanding the immunities enjoyed by military forces under international law. While no one disputed the fact that the activities of military forces during an armed conflict were covered by the law applicable to such conflict, such immunity could not be accorded during peace time under a comprehensive convention covering a range of criminal acts.

19. His delegation had taken note of paragraph 20 of the report of the Ad Hoc Committee (A/55/37) on the draft international convention for the suppression of acts of nuclear terrorism and encouraged the coordinator of the informal consultations to pursue her efforts with a view to ensuring the adoption of the convention by consensus as soon as possible. Concerning the convening of a high-level conference under the auspices of the United Nations to formulate a joint organized response of the international community to terrorism in all its forms and manifestations, his delegation was of the view that the Ad Hoc Committee should first concentrate its efforts on finalizing the two draft projects on its agenda. It might subsequently consider convening a conference for the adoption of the conventions.

20. **Mr. Baali** (Algeria) said that, despite the international community's efforts to combat terrorism, that scourge continued to claim countless human lives and cause incalculable damage to property, threatening the internal security of States and international peace and security. Terrorism had worsened because of its ability to adapt to globalization and use ever more sophisticated methods as well as its increasingly closer ties with other criminal activities such as drug trafficking, money laundering and arms trafficking. Terrorism was one of the worst scourges of modern times and ran counter to all that the United Nations stood for, since it attacked the fundamental principles of democracy, human rights and people's well-being, in addition to adversely affecting the socio-economic development of countries.

21. Since the initial appearance of the topic of terrorism on the General Assembly's agenda, the Assembly had adopted many resolutions, decisions and recommendations to prevent and combat that scourge at the national, regional and international levels. At the Millennium Summit and during the current session of the General Assembly, terrorism had once again been unanimously and unequivocally condemned and the need had been reiterated for taking concerted action to combat it. In that regard, he welcomed the Security Council's support for the fight against terrorism, as reflected by the various Council resolutions that recognized the threat posed by terrorism to the peace and stability of nations.

22. International cooperation should be strengthened through the accession of all States to the relevant international instruments, cooperation in judicial matters and the exchange of information; otherwise, the international response against terrorism would continue to be inadequate. There was a need to address the problem in all its manifestations and to tackle all its sources of support, including logistical support, financial assistance, arms supplies and political backing. In that regard, it was deplorable to note that the perpetrators of terrorist attacks and their backers continued to find refuge in other countries, from which they continued to carry out with impunity activities that damaged the interests of their countries of origin and the relations between the latter and the countries of asylum. For that reason, States must honour their commitments and eschew selective or lax policies as well as the abusive or indulgent application of legal instruments, such as the right to asylum.

23. In recent years, significant progress had been made in the area of international law, including at the United Nations, with the adoption of conventions such as the International Convention for the Suppression of Terrorist Bombings, the International Convention for the Suppression of the Financing of Terrorism and the negotiations on the draft comprehensive convention submitted by the Indian delegation. It was imperative to adopt a convention that comprehensively addressed

terrorism in all its forms and manifestations and took into account new forms of terrorism that were not covered under existing legal instruments. His delegation therefore urged all countries to continue to demonstrate a constructive and responsible attitude in order to achieve that objective as soon as possible. The United Nations was the appropriate institution for coordinating the activities of Member States in the fight against international terrorism. The General Assembly had already paved the way by adopting, on 9 December 1994, the Declaration on Measures to Eliminate International Terrorism. In that regard, his delegation fully supported the proposal to convene a high-level conference under the auspices of the United Nations to formulate a joint organized response of the international community to terrorism in all its forms and manifestations.

24. Moreover, considerable progress had been made at the regional level, where consultations and cooperation were essential for establishing effective security arrangements and legal frameworks to supplement international initiatives. In that regard, he noted that such a process was being developed in the Mediterranean region and that there were other similar initiatives, in which Algeria was actively participating, within the framework of the League of Arab States, the Organization of African Unity and the Organization of the Islamic Conference. Those institutions had drawn up a number of instruments for combating terrorism, which had been signed and ratified by his country.

25. Algeria, which had always encouraged the international community to combat the scourge of terrorism in strict accordance with the principles of international law, had adopted national measures, acceded to relevant regional and international conventions and was trying to fully fit in with the frameworks of cooperation established at all levels. It would therefore welcome any initiative to enhance efficiency, cooperation and coordination in order to achieve the common goal of eradicating terrorism.

26. **Ms. Ibraimova** (Kyrgyzstan) said that the draft comprehensive convention on international terrorism prepared by India would enable States parties to exercise their jurisdiction over terrorist offences and might, owing to its comprehensive nature, prove universally acceptable. Like other States in Central Asia, Kyrgyzstan had been the victim of international terrorism and religious extremism, together with illicit trafficking in drugs and weapons. Those problems were a grave threat to the stability and security of the entire Eurasian region. Incursions by terrorist groups in the south of the country in 1999 and in August 2000, and similar events in neighbouring States, showed that international terrorist organizations intended to use the territory of Central Asia to perpetrate their crimes.

27. It was obvious that no individual State could cope with terrorism on its own; collective measures were necessary. Noteworthy at the regional level was the work of the group of countries known as the "Shanghai Five" (China, Kazakhstan, Kyrgyzstan, the Russian Federation and Tajikistan), which had held a meeting of Heads of State in July 2000. Those States had also established the "Bishkek Group", made up of the law-enforcement agencies and special services of the member States, to coordinate their actions in the prevention and suppression of terrorism, and would shortly set up an anti-terrorist centre in Bishkek (Kyrgyzstan). Furthermore, the Heads of State of Kazakhstan, Kyrgyzstan, Tajikistan and Uzbekistan and the Special Representative of the President of the Russian Federation had met in Bishkek on 20 August 2000 to demonstrate the unanimous resolve of the Russian Federation and the countries of Central Asia to eradicate terrorism in their territories. In addition, the Council on Collective Security of the States parties to the Treaty on Collective Security within the framework of the Commonwealth of Independent States (Armenia, Belarus, Kazakhstan, Kyrgyzstan, the Russian Federation and Tajikistan) had held a meeting in Bishkek in October 2000, at which the participants had drawn attention to the fact that the conflict in Afghanistan endangered the stability of the region and had proposed to convene a special meeting of the Council on Collective Security to agree on concrete measures to resolve the problem, with the participation of all the parties to the conflict. The States parties to the Treaty on Collective Security had urged the United Nations, the Organization for Economic Cooperation and Development, the Organization of the Islamic Conference and the international community as a whole to support them in their struggle against terrorism, extremism and separatism and had declared that any attempt to destroy the integrity of Central Asia would be repelled by the States parties. Lastly, they had announced that they would propose new measures to establish regional systems of collective security and strengthen political and military cooperation.

28. Kyrgyzstan had adopted laws in that regard and had become party to four of the international agreements and conventions against terrorism. It was also a party to the Treaty on Cooperation among States Members of the Commonwealth of Independent States in Combating Terrorism (Minsk, 4 June 1999) and was considering acceding to the International Convention for the Suppression of Terrorist Bombings and signing the International Convention for the Suppression of the Financing of Terrorism. Only a collective effort by the international community could overcome that threat to security, stability, peace and order in the world. Her Government was therefore collaborating in the creation of an international legal system of measures to combat terrorism and other forms of extremism.

29. **Ms. Steains** (Australia) said that it was hard to imagine how any State could fail to unequivocally condemn terrorism in all its forms and manifestations or to join the international consensus on eliminating that scourge. Australia was a party to nearly all the international treaties which obliged States to criminalize specific acts of terrorism and to cooperate with other States in preventing such acts and investigating and prosecuting them when they occurred. The only exceptions were the International Convention for the Suppression of Terrorist Bombings and the International Convention for the Suppression of the Financing of Terrorism, which would be submitted to the parliamentary committee on treaties in early 2001. In addition to its participation in the Ad Hoc Committee established by General Assembly resolution 51/210 of 17 December 1996, Australia was actively involved in regional forums and bilateral negotiations in order to intensify through international cooperation the efforts being made by all to prevent and, where they occurred, to punish terrorist acts.

30. Regarding the draft comprehensive convention on international terrorism, her delegation recognized that the existing regime did not cover all aspects, and would welcome the adoption of a comprehensive instrument to fill the gaps. The present regime, however, provided the strongest and most effective mechanism for responding to the complex phenomenon of terrorism, and the new draft convention should be complementary only and should not attempt to incorporate the areas covered by sectoral instruments.

31. Specific crimes required specific treatment, and the availability of separate instruments made possible the necessary degree of specialization to ensure the legal and practical effectiveness of each convention. Any attempt to cover all possible manifestations of terrorist crime in a single instrument would only succeed in weakening the international counter-terrorism regime as a whole. It should be borne in mind that if that network of legal instruments did not exist, there would be no multilateral legal means to promote cooperation in dealing with the problem. For example, in 30 years little progress had been made towards arriving at an agreed definition of the term "terrorism", and yet that had not prevented the elaboration of a truly robust and effective counter-terrorism regime.

32. The progress made by the international community in its struggle against terrorism should not cause it to slacken in its efforts. At the same time, the progress that progress should not be underestimated. The international community must not jeopardize the strong legal counter-terrorism regime already in place in an attempt to produce a comprehensive treaty which might inadvertently act as a disincentive to universal ratification of the existing instruments.

33. *The President of the General Assembly took a place at the Committee table.*

34. **Mr. Gizaw** (Ethiopia) said that his delegation attached particular importance to measures to eliminate international terrorism, not only because his country had been subjected to terrorist acts in recent years, but basically as a matter of principle. Ethiopia condemned all acts of terrorism irrespective of their form, motivation or manifestation and considered that there was no justification for such acts.

35. In order to combat the scourge of terrorism it was vital that cooperation at the international, regional and national levels should be strengthened. Ethiopia was a party to major international and regional instruments including the Convention on the Prevention and Combating of Terrorism of the Organization of African Unity (OAU) and was committed to cooperate with all countries, especially neighbouring countries. At the national level, Parliament had recently enacted legislation to punish acts of terrorism such as the hijacking of aircraft, thereby demonstrating the Government's determination to take concrete measures against terrorism.

36. He welcomed the fruitful discussions which had been conducted on a draft comprehensive convention on international terrorism. His delegation fully supported that effort which, while preserving the

progress that had been made by means of "sectoral" conventions on international terrorism, sought to create a comprehensive instrument to fill the gaps and complement existing agreements. Such a convention should help to consolidate the existing legal instruments and broaden the legal basis for combating terrorism.

37. Terrorism was an international crime which constituted a threat to the peace and security of all States and their peoples, especially when the terrorists were armed, financed and supported directly or indirectly by Governments. The United Nations must do everything possible to enhance international cooperation in the prevention and suppression of acts of international terrorism, and his delegation therefore supported the proposal to convene a high-level conference on terrorism under the auspices of the United Nations.

38. **Mr. Zhdanovich** (Belarus) said that combating international terrorism was a very important issue for his country. Belarus categorically condemned all acts of terrorism, regardless of the form they took or the objectives being pursued. His Government had always advocated effective international cooperation and concerted efforts by all States in the struggle against that scourge. The intensification of terrorism and its increasingly transnational character demanded global approaches, and an appropriate legal basis should be provided. The Ad Hoc Committee established by General Assembly resolution 51/210 was carrying out an important task in elaborating international conventions against terrorism and filling the gaps in international law. The adoption of a comprehensive convention, the draft of which was under consideration by the Working Group of the Sixth Committee, would provide a solid foundation for the implementation of existing agreements and would be a useful instrument in dealing with terrorism, a definition of which had not yet been agreed. He thanked India for having prepared the draft, which would establish an excellent basis for future work.

39. One of the important aspects to be dealt with by draft convention was the elimination of acts of nuclear terrorism. He hoped that, once adopted, the instrument would serve as a deterrent and that the international community would never have to implement any of its provisions.

40. The international community was in the process of defining measures to combat international terrorism. That process not only aimed to protect every country, but also showed how States could apply legal rules in dealing with the complex problems and changes in the modern world. A collective approach to the problem required consensus among all those working towards a solution, and a mechanism which would enable them to work together.

41. Belarus had entered into a number of bilateral agreements for cooperation in combating terrorism and was a party to most of the international conventions. His delegation supported the excellent idea of compiling and sharing among States information on their particular experiences in the struggle against terrorism and establishing mechanisms for training and consultancy in the use of that information. It fully agreed with the need to focus on practical cooperation among countries in areas such as the harmonization of domestic legislation, the application of preventive measures and investigation and prosecution of those responsible for terrorist acts.

42. Lastly, his delegation reiterated its strong condemnation of terrorism as a threat to the international community as a whole and offered its support for all efforts to combat it.

43. **Mr. Janda** (Czech Republic) said that his delegation aligned itself with the statements made on behalf of the European Union and wished to describe the legislative measures adopted recently in the Czech Republic for the suppression of terrorism. His delegation was participating in the work of the Ad Hoc Committee established by General Assembly resolution 51/210, and felt that the Committee had demonstrated its effectiveness as a legal tool in the struggle against international terrorism. Owing to the importance it attached to the legal instruments elaborated, the Czech Republic had ratified in September 2000 the International Convention for the Suppression of Terrorist Bombings and had signed the International Convention for the Suppression of the Financing of Terrorism, which it would ratify as soon as its domestic legislative process permitted.

44. The Czech Republic believed that the prestige of the Ad Hoc Committee would be strengthened if the current negotiations for a comprehensive convention on international terrorism produced positive results. The sectoral approach taken so far by the international

community had proved to be highly satisfactory; however, the comprehensive convention currently being negotiated could establish a general definition of terrorism, thereby providing the international legal framework so far lacking in that area. His delegation believed that the definition of terrorism for the purposes of the international convention should be modelled on article 2 of the revised draft version, without the addition of any new conceptual elements.

45. As for the relationship between the comprehensive convention and the sectoral conventions, while the problem was important, its complexity should not be exaggerated. The main goal was to preserve the mechanisms created by the partial conventions without undermining the legal value of the comprehensive convention. In most cases, the comprehensive convention and the sectoral conventions could be applied simultaneously. In conclusion, he welcomed the positive atmosphere which had characterized the first round of negotiations on the draft submitted by India, despite the complexity of the political and legal issues it raised, and he trusted that work on it would proceed diligently at the forthcoming session of the Ad Hoc Committee in February 2001.

46. **Mr. Mukongo Ngay** (Democratic Republic of the Congo) said that his country supported the statement made by the representative of Tanzania on behalf of the Southern African Development Community (SADC). Nearly all regions of the world had to some degree been exposed to the devastating threat of terrorism, a phenomenon that was to be condemned in all its aspects.

47. The effectiveness of the struggle against terrorism depended on the cooperation of States and the capacity of each State to take the necessary measures at the national level. The Democratic Republic of the Congo had always taken measures at both levels. Its domestic legislation was characterized by an anti-terrorist legal culture which was reflected in effective preventive measures, for example, the requirement to obtain the authorization of the President of the Republic to import, store, withdraw, ship, sell and possess firearms and their components and ammunition. The law prohibited anyone who was not in the military from possessing weapons of war.

48. At the international level, the Democratic Republic of the Congo recognized the precedence of international law over domestic law, and had signed or ratified a number of international conventions relating to the question of international terrorism, for example, the recent Convention of the Organization of African Unity on the Prevention and Combating of Terrorism, adopted in Algiers on 14 July 1999.

49. There was still no consensus on the elaboration of the final draft international convention for the suppression of acts of nuclear terrorism, the question of convening a high-level conference to formulate a joint organized response of the international community to terrorism in all its forms and manifestations had not yet been decided, and further consultations were needed on the draft comprehensive convention on international terrorism proposed by India. While his delegation understood the difficulties, which had to do with the complexity of the phenomenon and the diversity of its manifestations, it encouraged all parties to redouble their efforts with a view to adopting the draft comprehensive convention.

50. The Democratic Republic of the Congo, however, cautioned against the potential dangers of the draft convention that could impede the attainment of its objectives. The comprehensive convention should not equate terrorism with the legitimate struggle of peoples for self-determination and self-defence in the face of foreign aggression and occupation. Moreover, the convention should cover all aspects of terrorism, including State terrorism, which was its most dangerous form. Otherwise, it would give carte blanche to countries like Uganda, Rwanda and Burundi, which had for more than two years committed genuine acts of State terrorism in the territory of the Democratic Republic of the Congo, under the pretext of guaranteeing the security of their borders. To that end, they had committed atrocities and murders with the deliberate intention of traumatizing the survivors. He described various atrocities and mentioned the substantial material damage caused by agents of terrorist States, whose sole intention was to take possession of the diamonds and other wealth of cities such as Kisangani, located more than 1,000 km from the border. That was a form of international terrorism with grave consequences, which many delegations characterized as State terrorism and should not escape the regime of the future convention.

51. He reiterated his support for the proposal by the representative of India on the adoption of a universal definition of terrorism and the elaboration of a detailed

and universal anti-terrorist convention, and reaffirmed his country's intention to cooperate to the fullest extent possible in the finalization of the anti-terrorist instruments under consideration.

52. **Mr. Wehbe** (Syrian Arab Republic) reiterated his delegation's total condemnation of international terrorism in all its forms and manifestations, whether it was committed by individuals, groups or, in particular, States. The Syrian Arab Republic had acceded to the great majority of relevant international instruments, and its domestic legislation provided for very severe penalties in cases of terrorism.

53. For several weeks, the occupied Palestinian territory had been subjected to daily acts of terrorism by Israel, in violation of the norms of international law. Although the press was reporting on those atrocities, the world had closed its eyes to that tragedy and nothing had been done to put an end to it. There had already been more than 210 deaths and thousands of injuries; however, Israel persisted in its terrorist mentality. Nor should the thousands of Lebanese martyrs of the past be forgotten. Israeli leaders had been practising terrorism in all its forms and manifestations for many years, and Israel's intolerant terrorist philosophy did not distinguish between guilty and innocent. There was no reason not to bring to justice the Israeli leaders responsible for war crimes in the occupied territories. At the two summits convened in 2000 by the Arab and Islamic world, one in Cairo and the other in Doha, the genocide committed by Israel had been condemned. At the fifth special session of the Commission on Human Rights, held recently in Geneva, the provocative visit to Al-Haram Al-Sharif by Ariel Sharon, which had triggered the tragic events that had followed in occupied East Jerusalem and the other occupied Palestinian territories, had been condemned (E/CN.4/RES/S-5/1).

54. There was no balance in today's world. The liberation of national territory was considered a struggle in some parts of the world and terrorism in others. Neither limited nor sectoral criteria should be applied in considering the draft comprehensive convention on international terrorism (A/C.6/55/1), but rather a humanistic approach in order to achieve a comprehensive justice which was not selective. The draft attempted to fill lacunae and gaps in existing instruments, taking into account the principles of international law and the Charter of the United Nations. Owing to the sectoral approach taken thus far, a fundamental question had not yet been addressed: the definition of terrorism. Acts of terrorism should be clearly characterized, as they were in domestic legislations. Nor had it been possible to decide on the title of the instrument. He recognized the efforts made in the Working Group to schedule a second reading of the revised texts of the draft articles already considered. The Working Group had had no time to consider the preamble, some articles or some written proposals submitted by certain States. The concerns expressed by all countries should be taken into account and, in that connection, he drew particular attention to documents A/C.6/55/WG.1/CRP.30, CRP.37 and CRP.38. The armed forces should not be excluded from the scope of the convention and State terrorism should also be contemplated. It would be difficult to ensure wide acceptance of the convention if it did not include a definition of terrorism and of the crime of terrorism or the right to oppose foreign occupation. It was quite possible, however, to arrive at a definition of terrorism, provided that the international community had the sincere political will to do so.

55. Back in 1986, the Syrian Arab Republic had proposed distinguishing between terrorism and the legitimate struggle of peoples (A/42/58, annex). The right of self-determination, taking into account the particular situation of peoples under colonial or other forms of alien domination or foreign occupation, had been reaffirmed in the Declaration on the Occasion of the Fiftieth Anniversary of the United Nations (A/RES/50/6). It was to be hoped that the high-level international conference to formulate a joint organized response of the international community to terrorism would serve to clarify those questions.

56. The Movement of Non-Aligned Countries had reservations and had expressed concern with regard to certain parts of the draft international convention for the suppression of acts of nuclear terrorism. Work would be complete only when that draft covered State nuclear terrorism. Currently, nuclear power was exclusively in the hands of the governmental authorities and not of individuals. Although nuclear devices fell into private hands, at least it was doubtful that those individuals could perpetrate terrorist activities without State support. The activities of armed forces, referred to in article 4 of the draft, should not be excluded.

57. General Assembly resolution 51/46 should be mentioned in the draft resolution on the item under

consideration. Referring to it in 1999 had made it possible to adopt by consensus the International Convention for the Suppression of the Financing of Terrorism (A/RES/54/109). Its omission would create unacceptable ambiguity, in which case the Syrian Arab Republic would be compelled to request that the draft should be put to a vote.

58. **Mr. Al-Dailmi** (Yemen) said that the human species, by nature, aspired to peace and security, and to live in a climate of brotherhood and cooperation; however, terrorism, which knew no religious or geographical bounds and had been universally condemned as a crime devoid of all justification, was attempting to destroy all human values and sow terror among all peoples. Yemen respected the Charter of the United Nations and the human rights conventions and had acceded to all the conventions to combat terrorism, a phenomenon which it condemned in all its forms and manifestations. Moreover, his Government had adopted a number of laws to that end. For example, Act No. 5 of 2000 had authorized the Government to sign the Protocol for the Suppression of Unlawful Acts of Violence at Airports Serving International Civil Aviation, while Act no. 11 had authorized it to accede to the International Convention against the Taking of Hostages and the Protocol for the Suppression of Unlawful Acts against the Safety of Fixed Platforms Located on the Continental Shelf. In addition, the Yemeni authorities were taking all necessary measures to enforce those and other laws.

59. Yemen declared its solidarity with the Palestinian people, the innocent victim of terrorist acts perpetrated by the Israeli occupying forces, and called on the international community to ensure the protection of that people. His delegation also expressed appreciation to the Secretary-General and the Working Group for their reports on measures to eliminate terrorism. Despite the efforts made in the past decade, the seriousness of some acts of terrorism had increased. The attack perpetrated against the United States Navy ship in Yemen with the aim of damaging relations between the two countries and impeding Yemen's economic development was an example. His Government was cooperating with the United States in the relevant investigations, with a view to prosecuting and punishing the authors of the crime. Yemen appealed to all Governments to make greater efforts to put an end to such acts, regardless of whether they were the doing of States or individuals. It unconditionally supported the resolution on combating international terrorism, adopted by the Security Council in 1999 (S/RES/1269 (1999)). Moreover, the proposal to elaborate a comprehensive convention on international terrorism was very appropriate, since such an instrument would fill existing gaps in the other conventions in that area. It was to be hoped that its adoption would mark the beginning of a period of peace in the world in which all human rights could be fully enjoyed.

60. *Mr. Suheimat (Jordan), Vice-Chairman, took the Chair.*

61. **Mr. Morshed** (Bangladesh) said that the Ad Hoc Committee played a key role in shaping legal techniques to deal with the many faceted aspects of terrorism. The report of the Secretary-General on measures to eliminate international terrorism (A/55/179) was of great value both as a reference document and as a means of charting progress achieved in that field. His Government once again expressed its abhorrence of terrorism in all its forms and manifestations; it recognized that the United Nations had achieved significant progress in drawing up instruments to combat terrorism, particularly the International Convention for the Suppression of Terrorist Bombings and the International Convention for the Suppression of the Financing of Terrorism. Bangladesh was reviewing the relevant instruments with a view to early signature, ratification or accession and was studying the need for domestic legislation on the subject and means of implementation.

62. Bangladesh welcomed the initiative to prepare a comprehensive convention on international terrorism, which would provide a basis for consensus in dealing with the problem and would underpin the broad international cooperation which was necessary to deal effectively with that phenomenon. The excellent draft prepared by India could serve as a basis for continued consideration within the Ad Hoc Committee. As to the draft international convention for the suppression of acts of nuclear terrorism, Bangladesh recognized the progress made by the Ad Hoc Committee and hoped that agreement would be reached within the context of the positions articulated by the Movement of Non-Aligned Countries. Lastly, his delegation believed that the holding of a high-level conference under the auspices of the United Nations could serve to formulate a global response to terrorism; the initiative must be

preceded by painstaking preparations in order to be assured of success.

63. **Mr. Biato** (Brazil) said that his delegation associated itself with the statement made by Colombia on behalf of the Rio Group; since the question of international terrorism had first been taken up, in 1972, much progress had been achieved in coordinating efforts to combat that global menace. More recently, the Ad Hoc Committee had played an important role in helping the international community build the broad network of conventions which were now in place. The Organization of American States had set up an institutional framework to enhance concerted action at the regional level through instruments such as the 1996 Lima Declaration and Plan of Action to Prevent, Combat and Eliminate Terrorism and the 1998 Mar del Plata Commitment, which condemned terrorist acts, irrespective of political, ideological, ethnic or religious considerations.

64. Terrorism took on as many forms as there were excuses to resort to violence, and globalization and technological innovations had strengthened the links between terrorism and other modern scourges, with grave consequences. The United Nations had taken up some aspects of the problem, such as the issue of small arms, the free trade of which made it easier for terrorists to acquire them. Another issue was the protection of civilians: just as the international community repudiated acts of violence against civilians in times of war, it must unequivocally condemn terrorist acts against innocent and defenceless persons. The relationship between terrorism and drug trafficking demonstrated how difficult it was at times to distinguish terrorism from other forms of criminal activities. The ample financial resources and the potential for corruption of those groups made them a serious danger to society. The fight against terrorism therefore called for increasingly coordinated and overarching strategies.

65. Brazil believed that the draft comprehensive convention on international terrorism prepared by the delegation of India was a solid basis for work in that sphere. The text had been improved as a result of the earlier negotiations, particularly those relating to the International Convention for the Suppression of the Financing of Terrorism and its innovative clauses that recognized the complexities of combating transnational criminal activities. However, the Committee must strive for a text that was truly comprehensive, rather than one that was meant only to fill in the gaps within the current legal framework. The comprehensive convention should make it possible to move forward in the codification of international law and should not simply be an optional protocol which extended the prosecute-or-extradite provisions to areas not currently covered by sectoral instruments. In order to lessen the inevitable overlap with existing conventions, it would be necessary to establish an effective relationship between general and specific instruments. The adoption of a truly comprehensive convention would help enhance the role of the United Nations in combating international terrorism and would send out the message that terrorism must be fought with determination as well as with an understanding of the tragedies and frustrations which often lay at its source.

66. **Mr. Al-Saidi** (Kuwait) said that his delegation welcomed the work on the preparation of a comprehensive convention on international terrorism, and in that respect supported the proposal made by Malaysia, on behalf of the States members of the Organization of the Islamic Conference. Terrorism was one of the serious problems facing the international community, because of the threat it posed and the fact that no State, small or large, could escape its consequences. During the final years of the twentieth century, there had been a growth in the forms and manifestations of the phenomenon, and an increase in the number of victims. Terrorism derived from an extremist form of thinking, which was not confined to one region or one religion in particular. For that reason, Kuwait supported the proposal to hold an international conference at which the international community could formulate a joint response to terrorism and establish a legal framework for combating that scourge. The conference would also provide an opportunity to draw up a common definition of terrorism.

67. Kuwait reiterated its rejection and condemnation of all acts of terrorism, whatever their form or origin. It supported efforts to pursue and prosecute the perpetrators, but at the same time stressed the importance of defining terrorism, in order to distinguish it from acts of legitimate self-defence, and noted that the United Nations recognized the legitimacy of the struggle of the peoples for self-determination.

68. Kuwait believed that the most serious form of terrorism was State terrorism, which was currently very widespread, and was perpetrated by the regular armies

of some countries, as in the case of Israel against the Palestinian people.

69. Kuwait also denounced the Government of Iraq, which had failed to comply with the resolutions of the international community and was still holding in prison some civilians who had been kept under house arrest during the occupation of Kuwait. Iraq should resume its cooperation with the United Nations so that the conditions of imprisonment of those prisoners and hostages could be made known.

70. Kuwait had acceded to most of the principal international conventions to combat terrorism, for example, recently, the Arab Convention for the Suppression of Terrorism, which it had signed in Cairo on 24 April 1999. It reiterated its support for all the efforts that were being made to put an end to international terrorism.

The meeting rose at 1 p.m.